

ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

MINUTES OF THE 142nd MEETING

STARVED ROCK STATE PARK

15 MAY 2009

(Approved at the 143<sup>rd</sup> meeting, August 14, 2009)

BOARD MEMBERS PRESENT: Chairman Dan Gooch, Vice-Chair Marilyn Campbell, Secretary Chris Phillips, Mr. John Clemetsen, Dr. Mike Retzer, Dr. James Herkert, Ms. Susanne Masi, Dr. John Taft, Director Marc Miller.

BOARD MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Rob Sulski, Mr. Craig Hendee, Mr. George Richter, Mr. Robert Walter, and Mr. Louis Luksander (Great Lakes Falconers Association); Mr. John McKee (Illinois Audubon Society); Mr. Jeff Mitchell (Brookfield Zoo); Mr. Randy Heidorn (Illinois Nature Preserves Commission); Ms. Jeannie Barnes, Mr. Glen Kruse, and Mr. Joe Kath (Illinois Department of Natural Resources – Office of Resource Conservation); Ms. Tracy Evans and Ms. Kathi Davis (Illinois Department of Natural Resources – Office of Realty and Environmental Planning); Ms. Anne Mankowski (Endangered Species Protection Board).

142-1 Call to Order, Welcome and Introduction of Guests

Chairman Gooch called the 142nd meeting of the ESPB to order at 10:02 A.M. Secretary Phillips called the roll call of Board Members and Chairman Gooch noted that there was a quorum. Meeting attendees introduced themselves.

142-2 Adoption of Agenda

Mr. Clemetsen moved to approve the agenda, Secretary Phillips seconded the motion, and it was passed unanimously.

142-3 Approval of the Minutes of Previous Meeting

Chairman Gooch asked if there were any corrections to the draft minutes of the 141<sup>st</sup> meeting. Dr Herkert indicated a correction was needed to note that Secretary Phillips had seconded the adoption of agenda under item 141-2. There were no other corrections and Vice Chair Campbell moved to approve the minutes, with correction, as final. Dr. Herkert seconded the motion and it was approved unanimously.

142-4 IDNR Staff Report

Mr. Kruse, Chief of the Division of Natural Heritage, gave his report (Attachment A).

In addition to information in his staff report, Mr. Kruse noted that the Natural Areas Acquisition Fund (NAAF) revenue, which funds operations for the Division of Natural Heritage and Illinois Nature Preserves Commission, Natural Areas acquisition, and the contract that employs the Board's Director, continues to decline. For comparison, FY06 revenue was \$17.5 million and so far in FY09, the rate is at about 1/3 the FY06 pace, with total revenue of about \$6.2 million estimated by the end of the fiscal year. The NAAF comes from the Real Estate Transfer tax and the current state of the housing market explains the decline in revenue. Any future recovery of the fund is expected to be slow; where it will recover at a much slower rate than it declined. Although annual expenditure each year is between \$8 and \$9 million and carryover is typically

about \$14 million, projections are for a deficit to the fund by FY12 by keeping staffing and expenditures at current levels (with no allowance for back-filling vacancies, etc) and including any short-term recovery in the housing market.

142-5 INPC Report

Mr. Heidorn, Assistant Director of the Illinois Nature Preserves Commission, gave his report (Attachment B).

142-6 ESPB Staff Report

Ms. Mankowski, Director of the Illinois Endangered Species Protection Board, gave her report (Attachment C).

142-7 ESPB Biennial Report

Ms. Mankowski reviewed the status of the Board's statutorily required biennial report of accomplishments, which was three cycles behind as of June 2008 and indicated that she had completed a final draft. Mr. Clemetsen moved to approve as final the ESPB Biennial Report for JULY 2006 – JUNE 2008 (With addenda covering biennia July 2002 – June 2006), Vice Chair Campbell seconded the motion, and it was approved unanimously. It was noted that the final report would be posted to the ESPB webpage shortly following the 142<sup>nd</sup> meeting

142-8 ESPB Budget

Ms. Mankowski explained that in the March 18, 2009 release of the proposed FY10 state budget there was no recommended appropriation identified for the Board. The Board has been without a budget since 2002. The current DNR-funded contract with the Illinois Natural History Survey that solely covers the personnel services expenses to employ the Board's Director, expires at the end of June 2009. The Board made recommendations to the DNR and INHS to extend Ms. Mankowski's contract for another year and continues to hope that its complete budget line (to include personnel and operating expenses) will be reinstated.

At this time DNR Director Marc Miller joined the meeting and was introduced to the Board and the audience by Mr. Kruse. Chairman Gooch welcomed Director Miller to the meeting and asked if he would like to address the Board.

Director Miller thanked Mr. Kruse and Chairman Gooch for the introduction and welcome and then addressed the Board. He thanked the Board and the ESTACs for their hard work on the recent list revision. He noted the importance of the partnerships and expertise represented by Board members from the Illinois Natural History Survey, Illinois Audubon Society, The Nature Conservancy, and the Chicago Botanic Garden; highlighting the partnership of the Illinois Natural History Survey, in supporting the contract for Ms. Mankowski's position. He extended appreciation to the Board for their assistance to the DNR in making important decisions on how we manage and protect our rare resources and also noted the important role of the public in these efforts. Director Miller closed by stating that he looks forward to working with the Board, and regretted that he would only be able to stay at the meeting for a brief time, due to other obligations.

Chairman Gooch thanked Director Miller for his comments and added that the Board looks forward to working with him, also.

142-9 ESPB Member Appointments

Chairman Gooch reviewed the status of member appointments and noted that several members' terms had

expired. He also reviewed that the terms of Dr. Herkert, Secretary Phillips, and Chairman Gooch expired on the date of the current meeting. Chairman Gooch asked each of these members if they wished to continue serving; Dr. Herkert and Chairman Gooch indicated their willingness to serve for another term. Secretary Phillips stated that he did not wish to seek reappointment, but offered to continue serving until he is replaced. Chairman Gooch thanked Secretary Phillips for his seven years of service to the Board.

The Board then discussed using the new *Appointments.Illinois.Gov* website to make nominations and Chairman Gooch asked Ms. Mankowski to research any steps and follow-up necessary to get all appointments and reappointments up-to-date.

#### 142-10 ESPB Self Evaluation

According to the Board's Policy Manual, each year, preferably at the February meeting, the Board must do a self evaluation for the previous 12 months, analyze the results and then set goals for the following year. It is not stated whether the "12 months" refers to the fiscal or calendar year. In addition to those tasks, the Board must also review its operations manual.

Due to the significant workload backlog resulting from a staffing shortage for several years, the review of the Policy and Operations Manual and goal setting for the next year will be deferred until the August or November 2009 meetings and only the Board's self evaluation for CY08 was conducted.

Chairman Gooch led discussion that reviewed multiple accomplishments such as holding quarterly meetings, approving list revision preliminary recommendations, reviewing and providing comment to the DNR on incidental take conservation plans, and completing a draft of the Biennial Report. It was agreed that since the Board had been without funding since 2002 and without staff for much of that period, an expectation of accomplishments beyond the statutory requirements would not be appropriate. Dr. Herkert moved to approve an ESPB self evaluation that the Board met all of its statutory requirements in 2008. Mr. Clemetsen seconded the motion and it was approved unanimously.

#### 142-11 Species Updates

Mr. Kruse reviewed the status of the federal **whooping crane** recovery effort. He noted that the birds returned successfully to Wisconsin this year, although there were a few mortalities, with bobcat being the major predator in known cases. Although 12 pairs initiated nesting and incubating eggs this year, all abandoned their nests. The suspected cause is localized significant increases in black fly populations, which appear to be chasing adult whooping cranes off their nests. Seven fertile eggs were salvaged from the abandoned nests and will be incubated by the USFWS.

Mr. Kath reviewed the DNR **alligator snapping turtle** recovery project. Last year's pilot release program included 13 animals, each affixed with a radio-transmitter, and provided for a contracted consultant that tracked the turtles. Initially three animals were lost and it is unclear if it was transmitter losses or receiver problems, but the consultant was successful in tracking 10 animals. In February, the team went back to try to retrieve and assess mortality of animals. They determined mortality of several animals and have theorized that the release location (essentially a backwater lake) may have become anoxic due to low flow and possible ice-over during the winter. The recovery team will initiate a second pilot study using a stream system and releasing a total of 30 2-year old animals that will be tracked approximately once/month that may help determine if mortality is reduced in a riverine environment. The end date for placing animals this field season is June 30<sup>th</sup> and if the team cannot meet that deadline, it may seek assistance from the St. Louis Zoo for

keeping animals over the winter.

Mr. Kath then reviewed the status of the DNR/USFWS/Lincoln Park Zoo (with assistance from Cook and Lake County Forest Preserve Districts) **Eastern massasauga rattlesnake** recovery effort in northeastern Illinois. The recovery team determined that local populations are at great risk of extirpation due to low number of individuals and no recent record of breeding success. Threats to the species include habitat loss and degradation and illegal collecting. The project includes the capture and captive breeding of any animals found in the two-county area and is expected to span several years. Unfortunately, in 80 hours of surveying this spring, only two animals have been found. Dr. Mike Dreslik has recently completed a final draft of the recovery plan for the species, which includes planning for reintroduction of captured and captive bred individuals.

The DNR coordinated with Ameren in a project on DNR property in the Peoria area to erect an **osprey** nesting platform and move an existing nest from a power line tower structure to the nesting platform. The effort was deemed a success with the nest being moved and the adults returning immediately upon relocation to resume incubation on the one egg present.

Mr. Kath informed the Board about the status of spread of white nose syndrome that is killing bats. The syndrome is a fungus that was first detected in the U.S. from New York hibernacula in 2008 and has resulted in 85-100% mortality of hibernating populations once affected. One New York hibernacula previously known for about 30,000 individuals only had 3 live animals documented this year. The fungus is also known from Europe but mortality rates there are relatively insignificant as compared to U.S. rates. The fungus has not yet been detected in Illinois, but is expected to continue spreading and likely affect Illinois populations within the next 2 years. Nationally, the fungus is anticipated to result in very significant population, and possibly species, declines and/or extinctions.

Mr. Kath also reviewed that incidental take applications have increased recently, and he currently has 18 projects under review. There was discussion about the difficulty in dealing with the increased rate of applications, likely due to economic stimulus projects, and having only one staff member to review applications and conservation plans.

Ms. Masi presented information about *Utricularia subulata* (**hair bladderwort**), which is known from only one location in Illinois, Hosah Prairie, near Illinois Beach State Park, and made a recommendation that the Board make preliminary approval to list the species as endangered. Ms. Masi reviewed the Illinois population history, the presence in the Great Lakes Region (including Indiana and Michigan), and related documentation describing appropriate habitat and associates and species ecology.

Ms. Masi summarized, by submitting that *Utricularia subulata* L. is a legitimate part of the Great Lakes flora, as discussed above. There are very few habitats in Illinois that could support this taxon, but it is possible that it occurs in other pannes or interdunal swales at Illinois Beach State Park. Because of its very diminutive size and its apparent unpredictable emergence under appropriate conditions, it may easily have been overlooked in the past. Its continued presence at Hosah Prairie over a 14- year period in a native habitat suggests it is a suitable species for consideration as Endangered in Illinois.

Following brief discussion, Ms. Masi moved that the Board preliminarily approve listing of

*Utricularia subulata* as endangered. Dr. Taft seconded the motion and it was approved unanimously.

Dr. Taft reviewed the status of voucher specimen verification for *Penstemon brevisepalus* (**short-sepaed beard tongue**) by members of the Plant ESTAC. Dr. Taft indicated that voucher specimens had not yet been verified and further discussion of the Plant ESTAC's previous recommendation to delist the species would need to be deferred until the August Board meeting.

Dr. Herkert reviewed the Bird ESTAC recommendations regarding potential delisting of the **peregrine falcon** (*Falco peregrinus*) following review of additional information and data brought forth by the Great Lakes Falconers Association (GLFA) at the February 20, 2009 meeting of the Board.

Dr. Herkert indicated that the ESTAC reviewed the 2008 data brought forth by the GLFA and from Chicago area researchers, information about Mississippi River birds, the recent Federal regulations allowing for take and potential impacts to the Illinois population, and how some other states are dealing with the planning for, and administration of, delisting and/or potential take at this time. The unanimous recommendation from the ESTAC was to not change the status of the species at this time.

Following discussion by the Board, including participation from Mr. Sulski, Mr. Hendee, and Mr. Richter, of the GLFA, Dr. Herkert stated that the ESTAC wanted to see 2009 breeding season data to evaluate if the recovery trend is still on track and would like to see development of a post-delisting management and monitoring plan for the species to address potential impacts on the Illinois population from allowing take and any necessary amendments to the Falconry Administrative Rule, prior to moving toward a delisting recommendation. Chairman Gooch suggested that the Board make a recommendation to the DNR that the DNR, with assistance from the Board, prepare and develop a post-delisting management and monitoring plan for the peregrine falcon. Dr. Herkert moved that the Board forward a recommendation to the DNR to initiate development of a post-delisting management and monitoring plan. Vice Chair Campbell seconded the motion and it was approved unanimously.

Ms. Mankowski presented to the Board a "Proposal for the reintroduction of **Alligator Gar** (*Atractosteus spatula*) in Illinois" by Trent Thomas and Rob Hilsabeck, DNR Fisheries. She explained that while the species had previously been listed and then was removed from the list because it was considered to be extirpated from the state, the Office of Resource Conservation had chosen to develop a reintroduction plan using its approved procedure for endangered species recovery planning, which includes review by the Board. Following brief discussion by the Board, it was recommended that Ms. Mankowski forward the proposal to the Fish ESTAC who would provide review comments/recommendations to the Board at its August meeting and the Board would make subsequent recommendations to the DNR, as appropriate. Secretary Phillips moved that the proposal be sent to the Fish ESTAC for formal recommendations, Mr. Clemetsen seconded the motion, and it was approved unanimously.

Ms. Mankowski introduced Jeff Mitchell from the Brookfield Zoo and presented to the Board a proposal from the Brookfield Zoo suggesting a partnership between the Board and the Zoo regarding research and recovery planning for the **Hellbender** (*Cryptobranchus alleganiensis*). The ultimate goal is to help in the development of a recovery/conservation plan and the display and captive breeding of hellbenders found in Illinois for possible re-introduction. Display of hellbenders is important to Brookfield Zoo to help educate and inform the public of this important native species.

Secretary Phillips led discussion that recommended against research and recovery planning for the Hellbender in Illinois due to the vague status of the species and the highly degraded condition of known habitats.

The Board thanked Mr. Mitchell for his interest and offer to partner with the Board and agreed that, while this species and project may not be an appropriate fit at this time, the Board welcomed the opportunity to work with the Zoo on similar projects in the future. Chairman Gooch requested that Ms. Mankowski keep in contact with Mr. Mitchell about collaborative work.

Ms. Mankowski explained to the Board that the DNR requested her oversight on an existing **Barn Owl (*Tyto alba*)** recovery planning and implementation State Wildlife Grant project. Ms. Mankowski will be replacing Joe Kath as the Project Manager on the project and will be coordinating project activities with several other DNR staff for approximately the next 18-24 months. The project includes writing a formal statewide recovery plan; identifying and documenting all known nesting attempts, observations, and reports in the last 10 years; developing a database that identifies large grassland complexes, counties with significant CRP, etc.; and, implementing a barn owl nest box program, concentrating on areas with known breeding pairs, areas with documented observations, and identified priority large grassland habitats.

Ms. Mankowski presented to the Board a genetic research proposal for ***Schoenoplectus hallii* (Hall's bulrush)** by Dr. Betsy Esselman, SIUE. The proposal noted that previous studies of *Schoenoplectus hallii* have suggested the possibility of hybridization of this species with *S. saximontanus* where the two taxa are sympatric (Smith et al 2004, McKenzie et al 2007) and proposed to survey historical sites that were extant in 2000 and if any plants are found in 2009, the remaining diversity will be compared with the levels present in 2000. If there are no extant populations, then ISSR markers will be used to examine the levels of diversity present within and among the populations as they existed in 2000. The Board discussed the process for vetting research proposals that are received outside of the Board's annual research program RFP cycle. It was agreed that Ms. Mankowski will conduct initial review of proposals and then solicit feedback from the Board and relevant ESTACs, as appropriate. In the case of the current Hall's bulrush project, Ms. Mankowski indicated that she will recommend to Dr. Esselman that she re-submit her proposal in response to the FY10 RFP that would be circulated sometime following the August Board meeting.

Ms. Mankowski presented to the Board a request for funding by Bob Bluett, DNR Wildlife, for an **Illinois Chorus Frog (*Pseudacris streckeri*)** habitat initiative project. The project includes multiple funding sources and proposes landowner contact, habitat improvements, and easement pursuit for new habitat areas and areas known for the Illinois chorus frog. The \$10,000 funding request from the Board was for monitoring presence of the species at places where the project has made, or will make, improvements, as well as reference sites for comparison. The Board discussed Mr. Bluett's request and determined that, while the project is important, in light of the Board's restricted research program budget, this project would not qualify as a priority at this time.

#### 142-12 Illinois Natural Heritage Database State Ranks

Ms. Jeannie Barnes, with DNR Natural Heritage Database, made a presentation to the Board about the Natural Heritage Database (Biotics) and the request from DNR for assistance from the Board and ESTACs to update the Biotics' state ranks for endangered and threatened species. Discussion took place that included a description of the estimated schedule and time frame (to begin following the CY09 field season and likely

requiring 1-2 years to complete for all species groups) and logistics (Ms. Mankowski, in coordination with Biotics staff, will lead the data collection and organization and then distribution to, and coordination with, the Board and ESTACs) for the effort. The Board thanked Ms. Barnes for her presentation and agreed to provide assistance to the DNR in updating the Biotics' state ranks for endangered and threatened species.

142-13 ESPB WPF Research Program

Ms. Mankowski presented her report (Attachment D) reviewing the status of FY08 and FY09 projects including a brief summary of recently received reports, the FY10 budget, and information about the FY10 request for proposals (RFP) process. There was additional discussion to approve standardized formats and criteria for research topics that are distributed in the RFP and for proposals that are received in response to the RFP. Ms. Mankowski indicated that she would circulate to the ESTACs the summary of research projects and a request for each ESTAC to identify its top three research priorities for the Board to consider at the August 2009 meeting.

142-14 Next Meeting Information (Illinois Audubon Society Headquarter, Springfield, IL, August 14, 2009)

The 143rd meeting of the Illinois Endangered Species Protection Board will be held at 10:00 A.M. on August 14, 2009 at the Illinois Audubon Society Headquarters in Springfield, Illinois.

142-15 Public Comment Period (3 minutes per person)

Mr. Rob Sulski addressed the Board with the following comment:

“My name is Rob Sulski. I am a falconer and Vice President of the Great Lakes Falconer’s Association (GLFA) and have also conducted various raptor research projects including about nine years of work on the peregrine falcon. I have a bachelor’s degree in zoology and a graduate degree in environmental engineering. In 1999 the peregrine falcon was removed from the federal threatened species list; a goal was exceeded. Almost 10 years ago the Illinois Endangered Species Protection Board adopted a strict and conservative “official model” for removing the peregrine falcon from the Illinois List of Endangered and Threatened Species. Today the official model has been exceeded. When the GLFA became aware that the model had been exceeded, we, with the assistance of world renowned local, nationally, and international, legal, and scientific peregrine experts made a strong effort to support the Board by assembling substantial and comprehensive testimony and associated documents upon which one could go beyond the model and compare the peregrine against each and every condition contained in the Illinois Endangered Species Protection Act and associated Illinois Administrative Code and Board Policy. We provided a thorough multiple-line, or weight of evidence, augmentation of the Board’s model in order to demonstrate, with even greater assurance, that the peregrine falcon population is indeed recovered and faces excellent prospects in the future in Illinois. It was disturbing to us that a number of the documents in the GLFA testimony were dismissed as irrelevant to the Illinois peregrine when according to the Act and associated Rules and Policy, the subject of many of the dismissed documents, in fact, directly address conditions required to be considered during the listing and delisting process. Specifically documents which would cover subjects of whether or not the population is a disjunct population, its regional or national growth trends, what they are, and other models that have been adopted to ensure the peregrine remains a recovered species. Each time a delisting goal is exceeded, a new out in the future, somewhere, more restrictive goal is adopted. The new goal that we have heard today, is a post-delisting management plan, unprecedented in Illinois. GLFA has always supported listing and delisting decisions that are based on scientific evidence and have been patient with and supportive of the Board. However, when there is enough science to make a decision, and appropriate action does not occur or languishes for unreasonable or poorly explained reasons, the GLFA is prepared to explore other avenues to

resolve the issue. Thank you for providing us with the opportunity to be here today.”

Chairman Gooch thanked Mr. Sulski for his comment.

Mr. Robert Walter addressed the Board with the following comment:

“My name is Rob Walter. I am also associated with the Great Lakes Falconry Association (GLFA). I am not a falconer, but I do appreciate their love of the bird. Something that you may, or may not, be aware of, there is danger in lumping all the peregrine species together. I am speaking specifically of the *tundrius*, which does not reside in Illinois and often migrates through both Illinois and the United States. Part of the reason the peregrine was originally listed was the use of DDT and reduction of habitat. What you may, or may not, know is that most people assume DDT has been banned. This is not true. There are currently 47 countries that allow the use of DDT. This includes Mexico where a lot of the *tundrius* will summer, or actually winter, and they are exposed to a lot of these poisons as well as the fact that a lot of habitat is being destroyed due to the increase in use of biofuels, creating a large demand for crops that was not there before. Part of the reason the peregrine was able to return to its current status was that people had held these birds for falconry use. When the situation became dire, as in there were no remaining pairs east of the Mississippi, a lot of these birds were, shall we say, pressed into service as reproductive projects. My concern is by making the *tundrius* not allowable to be taken, there is, shall we say, a potential loss of biological stores to draw from. There have been large multi-billion dollar projects worldwide to create biological stores for plants – large facilities, air-conditioned, in different parts of the world for the purpose of preserving biodiversity. I personally believe that falconry does this at no expense to tax payers. As a matter of fact, people who practice falconry pay for the right to preserve this biodiversity and that by allowing take it actually will increase a potential reserve if things continue to go the way they are. That’s just something that you may wish to consider. The peregrine is safe in the U.S.. That’s not true worldwide. In Central or South America the reasons that caused its decline still exist there and in some cases are getting worse. That’s just something you might wish to consider.”

Chairman Gooch thanked Mr. Walter for his comment.

142-16 Other Business

None.

142-17 Adjournment

Dr. Retzer moved to adjourn the 142nd meeting and Mr. Clemetsen seconded the motion. The meeting was adjourned at 1:22 P.M.



**Illinois Department of Natural Resources  
Report to Endangered Species Protection Board  
May 15, 2009**

**Wildlife Preservation Fund**

Receipts in 2008: \$220,069

Proposals for FY2010 small and large projects were due April 1. Proposals have been reviewed and ranked by DNR, ESPB and INPC staff. The WPF advisory committee has met and endorsed a list of recommended projects. The list will be sent to the Director for final approval before grants are announced.

**Personnel**

The process to hire five Natural Heritage Residents in FY2010 is well underway. Interviews were conducted on May 13. Three residents will work with District Heritage Biologists (Brad Semel, Eric Smith, Terry Esker) and two with Natural Areas Preservation Specialists (Tom Lerczak, Kim Roman).

**Illinois Natural Areas Inventory Update**

As of the end of March, the regional ecologists have successfully completed the first stage of the screening process for 53 counties. This process includes developing contacts with local experts, a review of literature and other existing information, familiarization with existing INAI sites and aerial photography examination. A total of 1722 potential natural areas have been identified within this stage of the process. The second stage of the screening process has been completed in 23 counties. This phase includes both aerial and initial ground surveys. A total of 301 sites have been determined to be of sufficient quality to warrant further evaluation. In preparation for the upcoming field season, landowner contact has also been initiated within the counties where the second stage of the screening process has been completed. The Strategic Natural Areas Preservation Plan is in the early stages of development. This plan will outline what resources are required for long term preservation of the INAI and individual sites. The plan will be structured around how the concepts of Identification, Protection, Stewardship and Defense relate to long term preservation and how cooperation between IDNR, other units of governments and non-profits relate to long term preservation. Re-evaluating the existing INAI Category I sites which was started last year will continue under outside funding.

**Regal Fritillary at Sand Ridge State Forest**

At the Board's public hearing on the proposed changes to the Illinois list, a comment was received concerning herbicide spraying at Sand Ridge State Forest and the possible effects of that spraying on the regal fritillary by way of mortality of the larval food plant (Johnny jump-ups) for the butterfly. Subsequent conversations with Office of Resource Conservation field staff and Division of Land Management site staff established that coordination was already underway to review herbicide use at Sand Ridge and make adjustments needed to protect the food plant. Additional discussions were held at the annual plan of work meeting for Sand Ridge State Forest in late February. It was agreed that any future spraying in areas known to include food plants for the regal fritillary will be done using a woody-specific herbicide such as Krenite-S<sup>®</sup>. This should help to maintain the open habitats desired at Sand Ridge without harm to plants that are important to the regal fritillary.

## **Federal Status of Gray Wolf**

On January 14, the U.S. Fish and Wildlife Service convened a conference call to advise Midwestern states of their intent to once again delist the Western Great Lakes Distinct Population Segment of the gray wolf. The Service had delisted wolves in this area in 2007, resulting in gray wolves having no federal protection in Illinois north of Interstate 80, but remaining federal-endangered south of I-80. A subsequent court order reversed that delisting last year. The Service's new proposal would affect the same geographic area that was included in the 2007 delisting, once again giving the gray wolf different levels of federal protection depending on where the animal was found in Illinois. A public announcement of the intended delisting was also made on January 14. Several days later, President Obama ordered that all rule changes that were proposed during the final days of the Bush administration be held until they could be reviewed by the new administration. The proposed wolf delisting rule remains on hold pending that review.

Review of the proposed wolf delisting has been completed and the rule went into effect earlier this month. Several environmental organizations have announced that they intend to file suit in an attempt to reverse this delisting decision.

## **Consultation Between Federal Agencies**

Just before the close of the Bush administration, a rule was enacted that would allow all federal agencies to make their own determinations of the potential effects of agency actions on federal endangered and threatened species. For over 30 years, all such actions were subject to review by the U.S. Fish and Wildlife Service. The following is taken from a press release issued by the Service several days ago.

### **Salazar and Locke Restore Scientific Consultations under the Endangered Species Act to Protect Species and their Habitats**

**WASHINGTON, D.C.** – Secretary of Commerce Gary Locke and Secretary of the Interior Ken Salazar today announced that the two departments are revoking an eleventh-hour Bush administration rule that undermined Endangered Species Act (ESA) protections. Their decision requires federal agencies to once again consult with federal wildlife experts at the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration – the two agencies that administer the ESA – before taking any action that may affect threatened or endangered species.

Impact Assessment Section  
Natural Resource Reviews  
February 2009 through April 2009

- 2,156 projects were submitted for information purposes only
- 1,675 projects were submitted for consultation. By early May:
  - 1,537 were terminated. Recommendations were made to avoid, minimize or mitigate impacts for 15 of the 167 projects that were opened for detailed review.
  - 109 projects were still in initial review
  - 29 projects had been opened—additional information had been requested and/or they were undergoing a detailed review
- 22 projects were also submitted by the USCOE for Fish and Wildlife Coordination

The large number of projects this quarter is due to ‘stimulus’ projects being submitted for IEPA and IDCEO funding.

**To:** Board Members  
**From:** Randy Heidorn, Kelly Neal, and Jenny Skufca  
**Date:** May 12, 2009  
**Subject:** INPC Staff Report for the Endangered Species Protection Board

**I. Illinois Nature Preserves Commission (INPC) Operations:**

- A. Jenny Skufca continued coordination and development of the photo contest to celebrate the 500<sup>th</sup> protected site and met with the Illinois Department of Natural Resources (IDNR) web designer to further refine the INPC 500<sup>th</sup> Site Photo Contest announcement.
- B. Samantha Adams, Graduate Resident Intern, completed the update of the INPC's online Nature Preserve Directory with input from the field staff.
- C. Deborah Stone, Randy Heidorn, Jenny Skufca, and Steven Byers worked with the IDNR and the INPC Commissioners and Consultants to develop a special event tied to the dedication of the 500<sup>th</sup> INPC protected site. Specific plans are still under development.

**II. Training, Presentations, and Meetings Attended:** Angella Moorehouse assisted staff from Augustana College and Rock Island Soil and Water Conservation District (SWCD) with planning and execution of the Hill Prairie Conference scheduled for May 1-2, 2009.

**III. Inventory and Monitoring:**

- A. Field staff provided landowner contact and other site information as requested by the Illinois Natural Areas Inventory (INAI) update staff.
- B. Kim Roman:
  1. Submitted a monitoring report for sweet fern (*Comptonia peregrine*) to a Plants of Concern program at the Chicago Botanic Garden.
  2. Organized a crew and obtained landowner permission to survey four-toed salamanders.
- C. Jason Incauskis, Graduate Resident Intern, assisted IDNR District Heritage Biologist Brad Semel with Volo Bog State Natural Area (SNA) bat data.

**IV. Protection Program:**

- A. The 202<sup>nd</sup> INPC meeting was held at the Visitors Center at Starved Rock State Park in Utica on May 5, 2009.
  1. The following sites were given approval as Illinois land and water reserves (LWR):
    - a. Harry N. Patterson Savanna, Henderson County (540.85 acres) IDNR. Dry sand prairie and dry sand savanna the Mississippi River Section of the Mississippi River and Illinois River Sand Areas Natural Division; state-endangered Patterson's bindweed (*Stylisma pickeringii*) and large-flowered beard tongue (*Penstemon grandiflorus*), and state-threatened kittentails (*Besseyia bullii*), western hognose snake (*Heterodon nasicus*) (INPC's 498<sup>th</sup> protected site).
    - b. Rall Woods, Jo Daviess Co. (283.25 acres) IDNR. Loess hill prairie and areas of dry and mesic upland forest of the Wisconsin Driftless Natural Division (INPC's 499<sup>th</sup> protected site).
    - c. Addition to Aroma Forest Preserve LWR, Kankakee Co. (30 acres) Kankakee River Valley Forest Preserve District. Brome field addition to buffer sedge meadow, sand prairie, sand savanna, and forested floodplain along the Kankakee River.
  2. The following sites were given preliminary approval for dedication as an Illinois nature preserve (NP).
    - a. Addition and buffer addition to Pistakee Bog NP, Lake Co. (50.32 acres) Wetland complex.
    - b. HUM Railroad Prairie, McHenry Co. (60.5 acres) McHenry County Conservation District (MCCD). Sedge meadow of the Morainal Section of the Northeastern Morainal Natural Division and dry sand prairie of the Winnebago Section of the Northeastern Morainal Natural Division; state-threatened common bog arrow grass (*Triglochin maritima*), slender bog arrow grass (*T. palustris*), and an orchid, and the state-endangered tall sunflower (*Helianthus giganteus*), prairie bush clover (*Lespedeza leptostachya*), and an orchid. The latter two species are also designated federally threatened. In addition, a state-threatened reptile and the state-endangered upland sandpiper (*Bartramia longicauda*).

3. The following sites were given final approval for dedication as an Illinois NP:
  - a. Deer Grove West Woodland and Wetland, Cook County (1,096 acres) Forest Preserve District of Cook County (FPDCC) savanna, dry-mesic upland forest, mesic upland forest, wet floodplain forest, sedge meadow, and wetland communities of the Morainal Section of the Northeastern Morainal Natural Division; state-threatened forked aster (*Aster furcatus*), pale vetchling (*Lathyrus ochroleucus*), small sundrops (*Oenothera perennis*), and marsh speedwell (*Veronica scutellata*) and the state-endangered bulrush (*Scirpus hattorianus*). State-threatened or endangered wildlife species reported from the site include the black tern (*Chlidonias niger*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), cerulean warbler (*Dendroica cerulea*), and a reptile. (INPC's 500<sup>th</sup> protected site).
  - b. Buffer addition to Stony Hills NP, Hancock Co. (140 acre) privately owned. Two state-threatened species, a reptile and Henslow's sparrow (*Ammodramus henslowi*).
  - c. Buffer addition to Loda Cemetery NP, Iroquois Co. (9 acres) Grand Prairie Friends. Mesic prairie of the Grand Prairie Section of the Grand Prairie Natural Division.
- B. Steven Byers:
  1. Continued meetings with staff of the U.S. Fish and Wildlife Service (FWS), Openlands Project, McHenry County Conservation District, and Friends of Hack-ma-tack to bring a U.S. FWS refuge to northeastern Illinois.

## V. Land Acquisition

- A. John Nelson worked with the IDNR's Office of Realty and Environmental Planning regarding issues at Black-Crown Marsh LWR, Volo Bog State Natural Area (SNA), and Harlem Hills NP.
- B. Angella Moorehouse contacted the owner of Housen Hill Prairie, Pike County, to discuss the 184-acre tract (includes the INAI site) currently for sale.

## VI. Defense Program:

- A. INPC program staff responded to five reviews for the IDNR's Comprehensive Environmental Review Program (CERP) and seven reviews for the IDNR's Consultation Program.
- B. Jenny Skufca and Randy Heidorn continued to participate in meetings addressing asbestos containing material and other issues related to the management of Illinois Beach State Park (SP), including Illinois Beach NP and North Dunes NP.
- C. Jenny Skufca:
  1. Worked on the preparation of a Class III groundwater petition packet for the Illinois Environmental Protection Agency (IEPA) and assisted the IEPA and Illinois Department of Transportation (IDOT) with the planning for Class III groundwater protection area road signage.
  2. Submitted INPC comment on proposed road work adjacent to Argyle Hollow Barrens NP.
  3. Researched potential concerns for INPC sites with regard to wind turbine proposals.
  4. Submitted INPC comment on an easement request from a wind turbine development company to the IDNR concerning an area within or near Sandy Ford LWR.
- D. Tom Lerczak and Randy Heidorn participated in various meetings relating to the possible impacts to Thomas W. and Elizabeth Moews Dore Seep NP from the Wetlands Initiative's proposed nutrient farming project at Hennepin-Hopper Lakes.
- E. Judy Faulkner Dempsey participated in discussions on mitigation of the dusky salamander on land proposed to be mined by the Oil-Dri Corporation in southern Illinois.
- F. Threats to sites within INPC programs:
  1. **Ryan Wetland and Sand Prairie LWR, Lee County – Jenny Skufca**
    - a. Issue: Wind turbine development company, Edison Mission Group, will soon erect a turbine array near the LWR.
    - b. Threat: Potential to create shadow flicker on the LWR. Wind turbine impacts to natural areas are not known.
    - c. Status: INPC staff submitted correspondence to the Edison Mission Group on April 3, 2009, relaying concerns about turbine placement in progress adjacent to the LWR and requested shadow arc analysis.
  2. **Black-Crown Marsh LWR, McHenry-Lake counties – John Nelson**
    - a. Issue: The Village of Lakemoor is converting a building adjacent to the LWR into a public works facility.
    - b. Threat: Main issue is the storage of road salt adjacent to the LWR and other wetlands located downstream at Moraine Hills SP.
    - c. Status: New plans have been drawn, and road salt was not stored at the new facility this past winter season due to on-going consultation with the IDNR.
  3. **Volo Bog SNA and Volo Bog NP, Lake County – John Nelson**
    - a. Issue: The proposed Spruce Lake Industrial Park is being considered for final engineering approval by the Village of Volo.

- b. Threat: Concerns that the industrial park will have negative impacts on the hydrology of the bog.
  - c. Status: INPC and IDNR staff requested, in writing, the Village not approve the project until a hydrologic report is completed and submitted to the INPC and IDNR for review to address concerns related to the protection of Volo Bog. A draft hydrologic report has been submitted, and a final report is anticipated in May, 2009.
4. **Lake in the Hills Fen NP, McHenry County – John Nelson**
- a. Issue: On March 25, 2009, a wildfire occurred at Lake in the Hills (LITH) Fen.
  - b. Threat: The LITH-Algonquin Fire Protection District responded by entering the NP with brush trucks that got stuck in hydric soils. A Bobcat skidsteer was called on-site to extract vehicles, and it also got stuck.
  - c. Status: The fire caused no harm to people or property, but the response did cause unnecessary damage to the sensitive resources of the NP. A similar incident occurred in 2005, at which time another Bobcat skidsteer got stuck in one of the calcareous seeps.
5. **Julia M. & Royce L. Parker Fen NP, McHenry County – John Nelson**
- a. Issue: Proposed construction and operation of Resurrection Center retirement community on nearby uplands.
  - b. Threat: Potential groundwater impacts within a Class III Ground Watershed designated for the NP has been the main concern for the INPC.
  - c. Status: INPC staff reviewed the proposed development plan and wrote a letter to the McHenry County Zoning Board of Appeals to relay concerns and to provide recommendations. The development will locate the septic outside the designated Class III special resource groundwater. INPC staff recommended a reduced development footprint, prohibition of road salts, legal protection and restoration of on-site wetlands and oak woodland, and elimination of a road, four housing units, and an associated detention basin.
6. **Bluff Spring Fen NP, Cook County – John Nelson, Steven Byers**
- a. Issue: Routing of water from Gifford Lake and “finger lakes” located adjacent to Bluff Spring Fen is currently under consideration by the FPDCC. Options include surface conveyance of water from Gifford Lake or conveyance of the water via a pipe.
  - b. Threat: INPC groundwater consultants Randy Locke and Jim Miner, Illinois State Geological Survey, have both recommended the “piping” alternative. The open swale alternative threatens groundwater chemistry and a previously permitted project to restore surface and groundwater hydrology (and fen wetlands) by filling a shallow gravel pit lake.
  - c. Status: A meeting, attended by mining representatives (Bluff City Materials and Vulcan Materials), INPC staff, FPDCC staff, and engineering consultants, was held on February 3, 2009, to discuss issues. A revised plan set for the preferred piping alternative was presented. The plan and a related groundwater model is now under review by various agencies responsible for permitting the project.
7. **Palatine Prairie NP, Cook County – Steven Byers**
- a. Issue: A private firm, Golf Nation, erected a structure (with netting) in 2007 to support a golf driving range. The ground wires that support the structure intrude into Palatine Prairie NP.
  - b. Threat: Unauthorized intrusion into the NP, and the NP owner, Palatine Park District, wants the infrastructure removed.
  - c. Status: Golf Nation has stated its intent to remove the infrastructure, subsequent to meeting with State Senator Matt Murphy. A more recent e-mail from Golf Nation contained a request for an extension to further explore engineering options and costs. Golf Nation has indicated that it will not have a plan ready until July 1, 2009, which is unacceptable to the NP owner and INPC staff. INPC staff is considering further legal action and will be consulting with IDNR legal staff for options.
8. **Illinois Beach NP, Lake County – Steven Byers**
- a. Issue: A proposed pharmacy has proposed direct access from the pharmacy to the Wadsworth Road entrance road into the south unit of Illinois Beach SP (from a currently developed parcel not next to the NP). The IDNR owns the right-of-way to either side of entrance road.
  - b. Threat: Although no direct impacts to the NP were identified by the INPC and local site managers, the following park issues were identified locally: establishes precedent; traffic safety issue; aesthetic issue; and potential threat to surface hydrology along entrance road to Illinois Beach SP.
  - c. Status: Project is being reviewed in the CERP process by the IDNR.
9. **Sterne’s Fen NP, McHenry County – Steven Byers**
- a. Issue: The Crystal Lake Park District received an Open Space Land Acquisition and Development (OSLAD) grant for infrastructure improvement at the NP.
  - b. Threat: Either direct or indirect impact to the NP, based upon siting and/or type of infrastructure.

- c. Status: Threat resolved. No direct impact as the project footprint is outside the boundary of the NP. Indirect threat posed by the septic field was resolved. The Crystal Lake Park District is to install a vault evaporator system and provide swales to reduce/eliminate run-off from the site. Also, gravel roads will be used rather than asphalt.
10. **Hickory Creek Barrens NP, Will County – Kim Roman**
- a. Issue: Sedimentation on the NP due to off-site land development.
  - b. Threat: Direct impacts to the NP.
  - c. Status: The consent order for violations of the Illinois Natural Areas Preservation Act at the NP has been finalized and is awaiting signature.
11. **Harper's Woods NP, Stark County – Angella Moorehouse**
- a. Issue: During a site visit to meet with the owners and contractor hired to do utility clearing for Ameren along the southern border of the NP, INPC staff found a high rate of tree mortality not only along the roadside but also into the interior of the forest community.
  - b. Threat: Concern for the health of the forest community at the NP.
  - c. Status: INPC staff is working with IDNR Forester Steve Felt and the Cooperative Extension Service to determine the cause of the high tree mortality of ash and oak trees and to develop strategies to preserve the diversity of native trees within the high-quality forest natural community.
12. **Black Hawk Forest NP, Rock Island County – Angella Moorehouse**
- a. Issue: IDOT, in consultation with INPC staff and the Historic Preservation Agency (HPA) who maintain the site, completed an emergency culvert repair in 2008 on IL Route 5 bordering the NP. This project was considered successful. A small number of young trees (less than 10 total, age less than 20 years) were removed, and native prairie savanna grasses were planted to reduce erosion and prevent the invasion of herbaceous weeds. There are three other culverts along IL Route 5 bordering the NP, east of the 2008 repair, which are at risk of erosion and collapse due to high volume rain water run-off.
  - b. Threat: Due to tremendous erosion, the future culvert repairs will involve earthwork. Additional dirt fill, taken from an off-site location, will need to be brought in to reduce the steepness of the slope. The plans do not call for alterations to the flow of small creek drainage, however, riprap rock will need to be placed at the top of the slope and within the stream bed to slow water velocity and reduce the risk of increased erosion. INPC staff want to ensure that the repairs will benefit the NP in the long-term by reducing the current rate of gully erosion. INPC staff also want to ensure that any outside soil brought into the NP is of the same soil type as that found in the NP and is from a local site that is either relatively free of invasive weed seeds or has been sterilized to kill weed seeds.
  - c. Status: IDOT has prepared plans to have these culverts replaced within the next 2-4 years, perhaps sooner. Staff from the INPC and HPA are currently reviewing these plans to provide guidance for the road repair work.
13. **Fon du Lac Seep LWR, Tazewell County – Tom Lerczak**
- a. Issue: Potential encroachment of the LWR by a neighbor.
  - b. Threat: Disturbance to the soil and increased potential for erosion to the LWR.
  - c. Status: Photo documentation and discussion with the landowner, Fon du Lac Park District.
14. **Dirksen-McNaughton Woods LWR, Tazewell County – Tom Lerczak**
- a. Issue: Proposed road realignment and bridge replacement within the LWR by the City of Pekin.
  - b. Threat: Road realignment would require use of land registered as a LWR.
  - c. Status: Staff met on-site with contractors and landowners on February 18, 2009.
15. **Kinney's Ford Seep LWR, Vermilion County – Kelly Neal, Randy Heidorn, Jenny Skufca**
- a. Issue: The IDNR is addressing a drainage issue on its property near the LWR by removing fill and ballast in an old rail embankment down to a pair of culverts. The contractor, a local road commissioner, asked and received permission from the IDNR to store excess fill in the parking lot area within the LWR. There was more fill than anticipated, and the piles were also placed in a disturbed area of the LWR in and adjacent to the parking lot slated for restoration. This work was done last fall and came to the attention of the INPC in mid-April, 2009.
  - b. Threat: Erosion control was not put in place, and silt potentially had washed into wetland areas containing listed species. The CERP for this project did not include storage of the fill in the LWR, and INPC approval was not sought for storage of the fill in the LWR.
  - c. Status: Silt fencing has been put in place. The INPC is working with the Endangered Species Protection Board and IDNR staff to review procedures that led to the placement of the fill within the LWR without proper authorization and to correct deficiencies. It is anticipated that the fill will be removed this summer.
16. **Section 8 Woods NP and Cache River LWR, Johnson and Pulaski counties – Jenny Skufca, Randy Heidorn, Judy Faulkner Dempsey**

- a. Issue: The Big Creek Drainage District (BCDD) has demanded the removal of the Diehl water control structure that controls water levels within the above sites. The BCDD also proposed the removal of a beaver dam within the LWR. There are potential effects to both the LWR and the NP.
- b. Threat: Concern for methods to be used to remove the dam, as well as concern over unnecessary changes to the hydrology of the site.
- c. Status: INPC staff requested the assistance of IDNR legal counsel and the Attorney General's Office to take all means needed to prevent the Diehl structure removal, which would be considered a violation of the Illinois Natural Areas Preservation Act. Various legal options are under discussion. Meanwhile, INPC staff sent correspondence to the BCDD identifying concerns over the beaver dam removal.

## **VII. Stewardship Program:**

- A. Randy Heidorn continues to guide the development and review of the Illinois Prescribed Fire Act administrative rule development as co-chair of the IDNR's Wildland Fire Task Force. The Rule is in final internal review within the IDNR, and a current draft was presented at the Illinois Prescribed Fire Council Conference on Friday, May 6, 2009.
- B. Kelly Neal has been reviewing, issuing, and renewing a large number of special use permits for research and other permitted activities within NPs and LWRs.
- C. Stewardship planning:
  1. Kelly Neal:
    - a. Reviewed 12 management plans/schedules and four unscheduled management actions.
    - b. Attended a meeting of researchers and staff from other agencies to discuss research plans for the State and federally-listed eastern prairie fringed orchid.
  2. Staff prepared or coordinated management schedules for several sites including:
    - a. Searls Park Prairie NP
    - b. Howard D. Coleman Dells NP
    - c. Sugar River Alder NP
    - d. Hartley Memorial NP
    - e. Laona Heights NP
    - f. Pecatonica Bottoms NP
    - g. Severson Dells NP
    - h. Colored Sands Bluff NP
    - i. Brownlee Cemetery Prairie NP
  3. Steven Byers, Kim Roman, and Kelly Neal attended a planning/strategy meeting hosted by Openlands regarding ecology and habitat requirements of the State and federally-listed Hine's emerald dragonfly.
  4. Angella Moorehouse and Debbie Newman met with staff from the IDNR's Natural Heritage Division on February 5, 2009, to work on the development of a Hill Prairie Action Plan.
- D. Stewardship project implementation: Staff continued to coordinate and administer stewardship projects, including the Hill Prairie Project, funded by Landowner Incentive Program (LIP), State Wildlife Grant (SWG), Wildlife Habitat Incentive Program (WHIP), EPA 319 Grant, Natural Areas Acquisition Fund (NAAF), and INPC operations fund. These projects involve meeting with landowners, securing landowner agreements, preparation of grant applications, preparing bid packages, supervising contractors, and assisting in conducting restoration activities. Contractor work included prairie reconstruction and seed purchase, exotics and woody species control, dump cleanup, erosion control, boundary survey and sign posting, and prescribed burn site preparation and burn crews. Sites where this kind of work occurred include:
  - Area 1: Black-Crown Marsh LWR, Kinnikinnick Creek NP, and Boone Creek Watershed
  - Area 2: Hybernia NP
  - Area 3: Long Run Seep NP
  - Area 4: Mary Taylor's Mossville Road Hill Prairie NHL, Robinson Park Hill Prairies NP, Detweiller Woods NP, Twin Culvert Cave NP, and Siloam Springs SP area
  - Area 5: Mettler Woods NP, Tomlin Timber NP, Dirksen-McNaughton Woods LWR, Culp Conservancy Woods LWR, and Walden West LWR
  - Area 6: Monticello's Sangamon River LWR, Shady Rest LWR, Doris Westfall Prairie Restoration NP, Horseshoe Bottoms NP, and Baber Woods NP
  - Area 7: Various sites
  - Area 8: Padgett Brothers Sweet Gum Woods LWR and P & E Refuge LWR
  - Area 9: Ren-Dill Shale Glade NP, Faulkner-Franke Pioneer Railroad Prairie NP, Degognia Canyon LWR, Circle B Ranch LWR, and Horsefly Ridge NP
- E. Land management conducted by staff:



1. Staff conducted prescribed burns at several sites, including:
  - Area 1: Rockcut SP, Moraine Hills SP, Harlem Hills NP
  - Area 2: Bluff Spring Fen NP, Fox River Fen NP, Brewster Creek Fen NP, Sleepy Hollow Ravine NP, Maunk-Sook Sedge Meadow and Savanna LWR, Chain O' Lakes SP, Red Wing Slough/Deer Lake LWR, Elizabeth Lake NP, and Glacial Park (McHenry County Conservation District site)
  - Area 3: Goose Lake Prairie NP, Des Plaines Dolomite Prairie LWR, Kankakee River NP, Old Plank Road Prairie NP, and Silver Springs Savanna Private Woodland
  - Area 4: Jamar Haven LWR, Root Cemetery Savanna NP, and Springdale Cemetery Savanna NHL
  - Area 5: Henry Allan Gleason NP, Sand Prairie-Scrub Oak NP, Chandlerville Cemetery Hill Prairie LWR, Walden West LWR, and Dickson Mounds Prairie Restoration
  - Area 6: Baber Woods NP, Barnhart Prairie Restoration NP, Prospect Cemetery Prairie NP, Larimore's Salt Fork of the Vermilion River LWR, Heartland Pathways, and Allerton Park
  - Area 7: Various hill prairies in the Bluff Corridor
  - Area 8: Lake Sara Flatwoods NHL, Ping Prairie at Huskey Hollow NHL, Green Prairie NHL, Allison Gravel Prairie NHL, Horn Prairie Grove LWR, Padgett Pin Oak Woods LWR, Prairie Ridge State Natural Area LWR (Jasper County), Prairie Ridge State Natural Area LWR (Marion County), Beadles Barrens NP, Karcher's Post Oak Woods NP, Robert Ridgway Grasslands NP, Beall Woods NP, Martin T. Snyder Memorial NP, Ramsey Railroad Prairie NP, Jasper County Prairie Chicken Sanctuary NP, Ballard Nature Center, Wildcat Hollow State Forest, Mulberry Grove Railroad Prairie, Lawrenceville Airport wetland, and Stephen Forbes SP
  - Area 9: Cache River LWR
2. Staff conducted invasive species control and other stewardship activities such as boundary posting, planting, or trash/litter cleanup at several sites, including:
  - Area 1: Boone Creek Fen NP and West Woodstock Prairie INAI site
  - Area 2: Shaw Fen and Woods NHL, Sleepy Hollow Ravine NP, Wingate Prairie NP, Bluff Spring Fen NP, Hybernia NP, Trout Park NP, Powderhorn Prairie and Marsh NP, Dixie Fromm Briggs NP, Illinois Beach NP, and Wolf Road Prairie NP
  - Area 3: Des Plaines Dolomite Prairies LWR, Silver Springs SP, Superior Street Prairie LWR, and Sweet Fern Savanna LWR
  - Area 4: Short Fork Seep NP and Brownlee Cemetery Prairie NP (Moorehouse 2 sites)
  - Area 5: McCune Sand Prairie LWR, McCoy Woods NP, Mt. Palatine Cemetery Prairie NP, and Walden West LWR
  - Area 6: Barnhart Prairie Restoration NP and Loda Cemetery Prairie NP
  - Area 7: Fults Hill Prairie NP and various other sites (specific sites not reported)
  - Area 8: Padgett Brothers Sweet Gum Woods LWR
3. Angella Moorehouse assisted staff from the Illinois Natural History Survey and IDOT in the translocation of State-endangered queen of the prairie (*Filipendula rubra*) plants from an area of Lost Grove Wetland INAI, threatened by road repair work, to Short Fork Seep NP.

**Illinois Endangered Species Protection Board staff report  
for the 142nd Meeting, May 15, 2009**

Submitted by Anne Mankowski, Director

The Board currently only has one staff, its Director. All activities were conducted by Ms. Mankowski, unless otherwise noted. Because the Board has reduced staff and had been without any fulltime staff from 2002-2007 and then without any staff from 2007-2008, Ms. Mankowski has not been able to complete all required work in the course of a 40-hour work week. Since the last staff report, Ms Mankowski has donated the following “volunteer hours” toward ESPB duties: February (from the 17<sup>th</sup>-28<sup>th</sup>) = 14.25; March = 21.75; and, April (through the 27<sup>th</sup>) = 30.75.

**1. ESPB Letter to the US Army Corps of Engineers re: Centerpoint 404 Permit Application #LRC-2007-688**

Issued a letter to USACE opposing issuance of the 404 permit and urging further coordination with the DNR and other stakeholders to avoid or minimize impacts to Illinois listed species and their habitats. All indications are that coordination is taking place between the Army, the USACE, Centerpoint, DNR, and other stakeholders. Ms. Mankowski will continue to coordinate with DNR Impact Assessment staff regarding the DNR consultation for the project.

**2. ESPB WPF Research Projects**

(See “Draft Report on the ESPB Research Program for the 142<sup>nd</sup> meeting” for more details on all items.)

- Obtained approval from DNR Director Miller to proceed with issuing five FY09 contracts, notified applicants, initiated contracting paperwork.
- Administered contracting paperwork for extensions on three FY08 projects.
- Administered contracting paperwork for vendor partial payment on one FY08 project.
- Prepared draft templates for “ESTAC research project topic recommendations to the ESPB for possible inclusion in the annual RFP” and for “Applicant proposals in response to the RFP.”

**3. ESPB 5-Year List Review culminating in 2009**

- Forwarded the Board’s final recommended changes to the DNR Legal Department and coordinated with DNR Legal staff to draft proposed amendments to IL Administrative Rules 1010 (List of IL E&T Fauna) and 1050 (List of IL E&T Flora). Proposed amendments are currently in DNR internal review.
- Prepared a final draft of the written summary of any action taken by the Board relative to pre-hearing comments, January 23 – February 6, 2009 hearing record comments, and information presented at the ESPB 141<sup>st</sup> meeting on February 20, 2009 for proposed changes to the List of Illinois Endangered and Threatened Species preliminarily approved at the ESPB 140<sup>th</sup> meeting on November 14, 2008 and as reviewed at the February 20, 2009 meeting (appended to the minutes for the 141<sup>st</sup> meeting).
- In coordination with DNR and CMS media relations staff, prepared a DNR news release announcing the Board’s final recommended additions, deletions, and changes in listing status to the List of Illinois Endangered and Threatened Species.
- Responded to media inquiries from the Daily Chronicle in Arlington Heights, Illinois Issues Magazine, the Chicago Tribune, and two freelance journalists.
- DNR, Division of Natural Heritage Chief, Glen Kruse, conducted one newspaper interview with the Associated Press in Chicago, and one radio interview with WMAY Radio.
- Prepared an Illinois Wildlife Preservation Fund project proposal to print copies of an updated Checklist of Endangered and Threatened Animals and Plants of Illinois that will be developed after a revised list becomes official, sometime later in 2009. The project was recommended for funding by the DNR WPF evaluation committee; final funding approval from the DNR will not be known for some time.

#### **4. ESPB Biennial Report for JULY 2006 – JUNE 2008 (With addenda covering biennia July 2002 – June 2006)**

Completed and distributed to the Board, the final draft of the subject report.

#### **5. ESPB webpage on the DNR website**

Continuing to make updates to the webpage with postings of additional documents from the 5-year List review process, recent agendas and meeting minutes, and select publications (most recent brown books).

#### **6. Illinois Fish and Wildlife Action Team**

Attended a presentation by DNR for a GIS project to model potential habitat areas for the Illinois chorus frog and provided E&T data assistance to David Myers, the new Conservation Opportunity Area Project Manager.

#### **7. Illinois DNR Natural Areas Evaluation Committee**

The quarterly meeting (April 2009) was cancelled and has not yet been rescheduled.

#### **10. Illinois Nature Preserves Commission**

Provided a report to the Commission for the May 5, 2009 Illinois Nature Preserves Commission meeting at Starved Rock State Park.

#### **11. ESPB Coordination with DNR**

- Represented ESPB at DNR ORC weekly meetings.
- Fielded and referred 14 permit, data, and consultation calls and emails to respective programs at DNR; Endangered Species Program ORC; Natural Heritage Database ORC
- Coordinated with the Endangered Species Program ORC, Division of Wildlife ORC, Impact Assessment Section OREP, Office of Land Management, Office of Law Enforcement, Office of Legal Counsel, Media Relations, and Illinois Nature Preserves Commission, on multiple matters, including:
  - Accepted the request by DNR to assume the role of project manager for a Barn Owl Recovery Planning and Implementation SWG project that will prevent the DNR from returning previously granted federal aid funding;
  - Identified a young turtle purchased from a pet store known for illegal trade of listed species (Herp ESTAC members assisted);
  - Amending IL 17 AD CODES 1010 (IL E&T Fauna) and 1050 (IL E&T Flora);
  - DNR consultation on USACE 404 permit application in Will County;
  - DNR CERP process and construction specifications for project #09000968 involving Middle Fork State Fish and Wildlife Area and Kinney Ford Land and Water Reserve;
  - Review of proposed ordinance regulating the siting of wind energy conversion systems in Mason County.
- DNR and public comments about the Board's proposed changes to the List;
- Conferred with Natural Heritage Database ORC staff about the request for Board/ESTAC participation in updating state-ranks for listed species.
- Provided follow-up assistance multiple times to OREP (Contaminant Assessment and Natural Resource Damage Programs).

#### **12. Coordination with other Agencies**

- Communicated with the Brookfield Zoo regarding a request to collaborate with the Board for research involving the hellbender *Cryptobranchus alleganiensis*. (See "Species Updates".)
- Communicated with the University of Illinois, Agriculture and Biological Engineering Department, regarding a query if the Board would be interested supporting a project proposal for mapping "sensitive crop areas", to include E&T locations, to help identify "acreages in Illinois that should not be contaminated with pesticide sprays". After discussing with the author that the proposal was in a very early draft stage, it was recommended that it could be presented to the Board for consideration when it was more developed.
- Coordinated with the USFS Midewin National Tallgrass Prairie and the Nature Conservancy regarding the Centerpoint

404 Permit Application #LRC-2007-688.

- Communicated with the USFS Shawnee National Forest and DNR, Division of Natural Heritage, regarding a media inquiry about E&T management in areas not designated as “Wilderness”.

### **13. Field Work**

Conducted surveillance for *Nothocalais cuspidata* (prairie dandelion) at Revis Hill Prairie Nature Preserve in Mason County with Jeannie Barnes from the DNR Natural Heritage Database.

### **14. Other General Administration and Clerical Work**

- Prepared and routed Board member and staff travel vouchers.
- Regularly distributed information to Board and ESTAC members via internet and hardcopy mailings.
- Prepared and distributed to Board members draft minutes from the 141st meeting.
- Responded to 15 requests for information and/or ESPB reference materials.
- All aspects of preparation for the May 15, 2009 142nd ESPB meeting and field trip, at Starved Rock State Park.

**Report on the ESPB research program to address the status, conservation,  
and/or recovery of Illinois endangered or threatened species  
for the 142nd Meeting, May 15, 2009**

Submitted by Anne Mankowski, Director

### 1) Currently Funded Projects

There were 11 projects approved for funding by the ESPB, or rolled over from the previous year, in the FY08 cycle. The deadline for three projects has been extended into FY10. Table 1 includes a list of all FY08 projects and their status.

### 2) Brief Summaries for Recently Received Project Reports

Summary of Blanding's Turtle Work at Goose Lake Prairie State natural Area, Springs 2006 – 2008 (first year report), by Michael J. Dreslik, Whitney J. Banning, and Dan Kirk, RC08E09W.

During the springs of 2006-2008 we have been conducting demographic monitoring of the Blanding's Turtle (*Emydoidea blandingii*) population at Goose Lake Prairie State Natural Area. We conducted limited trapping with baited hoops traps placed in several of the marshes within the preserve. We have sampled marshes in the central region of the preserve most intensely. In 2006, we captured 26 *E. blandingii* and all were new individuals. In 2007 we made 43 *E. blandingii* captures and of these: 27 were new individuals, 5 were between-year recaptures, and 11 were within-year recaptures. In 2008, we made 43 *E. blandingii* captures and of these: 10 were new individuals, 14 were between-year recaptures, and 21 were within-year recaptures. Thus over the three years of trapping we have made 114 captures of 63 individuals *E. blandingii*. Over the three years of sampling we have observed the rate of new individuals captured given the total number of individuals captured to be declining. In 2006 new individuals represented 100% of the sample, in 2007 they represented 87%, and in 2008 they represented 42%. This suggests that we have observed nearly half of the turtles within the central marsh complexes.

Table 1 (not included here) provides a breakdown of the sizes of turtles captured and dates. A thorough analysis of sex/stage structure, size structure, growth rates, and population size is forthcoming at the end of the four-year project. Finally, in 2006 we conducted some limited radio-telemetry. Although not part of the project, we will include those results in the final report to the Endangered Species Protection Board.

We have taken blood samples from all new individuals and between year recaptures. Genetic analyses of the samples from the first three years of the project are underway using microsatellite primers to determine genetic diversity and population genetic structure. We will provide those results in the end of the project report covering the four years of data.

ISSR Marker Diversity of *Astragalus crassicaarpus* var. *trichocalyx* in Illinois and Missouri Populations, by Christina Rogenski, Elizabeth Esselman, and Marian Smith, RC08E04W

*Astragalus crassicaarpus* Nutt. var. *trichocalyx* (Nutt.) Barneby is a perennial plant that occurs in the southeastern part of the Great Plains on prairies, open oak woodlands, limestone hills and riverbanks. The species was considered extirpated from Illinois until it was rediscovered in 1987 on a limestone bluff in Beaver Dam State Park in Jersey County. It is now on the state list of endangered plant species. Presently three populations exist in Macoupin County, Illinois within isolated glacial till prairie sites. In Illinois *A. crassicaarpus* populations are small and restricted to areas within the prairie sites. The three existing populations are separated by geographical barriers, which severely restricts gene flow or seed dispersal between populations. The sites themselves are fragile due to the encroachment of woody species. All of these factors increase the threat of extinction for the species in Illinois. Conversely, *A. crassicaarpus* exists in several large populations in Missouri such as Painted Rock Conservation Area in Osage County. If conservation strategies are to be developed, an understanding of the genetic variation of the species in large and endangered populations is essential.

One molecular marker that has proven useful in genetic diversity studies are ISSR markers. We compared the

large population in Missouri to the small endangered populations in Illinois using ISSR markers. Painted Rock Conservation Area had the highest within population diversity value (0.574) of all sampled populations. On average, the Illinois populations had a lower diversity value than the Missouri population (0.482). Interestingly, Roderick Prairie, the smallest population in Illinois, had a diversity value of 0.525. Every Illinois population sampled contained unique genetic variation not found in the Missouri population. Because of this diversity and how it is partitioned, it is important to preserve as many Illinois populations as possible, large or small.

### 3) FY09 Projects

The Board recommended funding for five projects at its 141<sup>st</sup> meeting on February 20, 2009. Table 2 includes a list of those projects and the status of contracts.

### 4) FY10 Cycle

#### - Budget:

The current balance is \$7.68 and current indications are that the Board will receive an allocation of \$25,000 from the Illinois Wildlife Preservation Fund for the FY10 cycle; bringing the **total balance to \$25,007.68**.

#### - ESTAC priority research topic recommendations to the Board:

Attachment A includes a proposed template for ESTAC research project topic recommendations that will be submitted to the Board. Once finalized, this template will be sent to the ESTACs for use in submitting project topic recommendations to the Board beginning with the FY10 cycle. The Board will consider ESTAC research project topic recommendations for possible inclusion in the annual RFP.

#### - RFP and applicant proposal in response to the RFP:

Attachment B includes a proposed RFP format and proposed template for use by applicants responding to the RFP. Once finalized, this template will be included in the RFP and will be the required format for proposals that will be considered for funding recommendation by the Board.

#### - RFP Proposed Timeline:

Upon finalizing the formats for Attachments A and B, Ms. Mankowski will send each ESTACs a request to submit its top three priority research topics in time for the 143<sup>rd</sup> Board meeting to be held on August 14, 2009. The Board will consider ESTAC research topics and vote on which projects to include in an RFP. The RFP will be distributed to the same list as was used in FY09 (82 researchers at 36 institutions or organizations) shortly after the August meeting with a deadline in late October. A package of applicant proposals and summary information (similar to the FY09 cycle) will be distributed to Board members prior to the 144<sup>th</sup> Board meeting to be held on November 13, 2009. The Board will consider which project proposals to recommend for funding, approval will be sought from DNR Director Miller, and contracts will be initiated following the November meeting.

**Table 1. Status of FY07 and FY08 Contracted ESPB WPF Projects**

Contract #	Title	Researcher/ Institution	Award Amount	End Date	Report Status	Payment Status	Amount Paid	Amount Obligated/ Encumbered	Running Total Paid / Obligated	Balance \$84,637.68
RC08E02W	Establishing population trends of <i>Hyla avivoca</i> in southern Illinois by duplicating the 1995 Redmer, Brown and Brandon survey	John Palis	\$ 3,402.00	08/31/08	Completed, received 07/08	Paid 07/29/08	\$ 3,402.00		\$3,402.00	\$81,235.38
RC08E01W	Survey of breeding colonial wading birds of conservation concern in the lower Wabash River drainage in Illinois, with special emphasis on the Little Blue Heron	Three Rivers Environmental Assessments	\$ 18,423.00	10/31/09 The end date for this project has been extended into FY10 due to flooding.				\$18,423.00	\$21,825.00	\$62,812.38
RC08E03W	Status survey update for listed herptiles for Kidd Lake Marsh, Fults Hill Prairie N.P., and other newly dedicated lands in Monroe County	Robert Weck	\$ 4,852.20	10/31/08	Completed, received 12/22/08	Vendor Payment initiated 01/20/09	\$ 4,620.00 (\$232.20 in supplies not purchased)		\$26,445.00	\$58,192.38
RC08E04W	Genetic variation in <i>Astragalus crassicaarpus</i> var. <i>trichocalyx</i> in Illinois	SIU at Edwardsville, Dept. of Biological Sciences	\$ 2,999.70	06/30/09	Completed, draft received 04/27/09	Ongoing		\$ 2,999.70	\$29,444.70	\$55,192.68
RC08E05W	Spatial Ecology and Over-Winter Survival of Neonate Eastern Massasauga Rattlesnakes ( <i>Sistrurus catenatus catenatus</i> ) at Carlyle Lake	INRS INHS UIUC	\$ 13,191.00	06/30/10 A contract request to extend contract for one year (new end date 06/30/10) initiated on 04/06/09.			(payment of \$2,409.28 in 11/08) (payment of \$6,314.44 in 04/09)	\$ 13,191.00	\$42,635.70	\$42,001.68
RC08E06W	Conservation genetics of the state endangered spotted turtle, <i>Clemmys guttata</i>	INRS INHS UIUC	\$ 5,000.00	12/31/09 A contract request to extend contract for one year (new end date 12/31/09) initiated on 04/27/09.		Ongoing		\$ 5,000.00	\$47,635.70	\$37,001.68
RC08E07W	Status, Distribution and Resource Requirements of the Longnose Dace in Illinois	INRS INHS UIUC	\$ 6,450.00	06/30/09		Ongoing		\$ 6,450.00	\$54,085.70	\$30,551.68
RC08E08W	Status Survey of <i>Mentzelia oligosperma</i> (Stickleaf)	Michael Jones	\$ 4,986.00	12/31/08	Completed, received 01/09	Completed	\$ 4,986.00		\$59,071.70	\$25,565.68
RC08E09W	Population Size and Genetics of the Blanding's Turtle at Goose Lake State Natural Area, Grundy County, Illinois	INRS INHS UIUC	\$ 8,318.00	12/31/09 A contract request to extend contract for six months (new end date 12/31/09) initiated on 05/08/09.		Ongoing		\$ 8,318.00	\$67,389.70	\$17,247.68
RC08E10W	Status Report for Native Populations of Shortleaf Pine ( <i>Pinus echinata</i> )	Michael Jones	\$ 9,632.00	06/30/10 A contract request to extend contract for one year (new end date 06/30/10) initiated on 02/03/09.				\$ 9,632.00	\$77,021.70	\$7,615.68
RC07E02W	Reproductive Success of Sandhill Cranes in Northeastern Illinois	Dr. David Thomas, PI; Dr. Michael Ward, INRS INHS UIUC, INHS	Total = \$ 5,730.00 Balance paid in 01/09 = \$ 3,596.13	12/31/08	Completed, received 01/09	Completed	\$ 5,730.00		\$82,751.70	\$1,885.68

**Table 2. ESPB Research Projects Approved and Identified for the FY09 Cycle and Status of Contracts**

- Balance from currently obligated projects = \$1,885.68.

- FY09 WPF allocation = \$25,000.

- In January 2009, the Board received a donation in memory of Mr. Nicholas M. Grom of Antioch, Illinois = \$245.00.

**- Total balance available for FY09 projects = \$27,130.68**

Contract #	Title	Researcher/ Institution	Award Amount	End Date	Contract Request Issued w/in DNR	Contract Leaves DNR	Contract Fully Executed	Appropriation	Running Total Committed	Balance \$27,130.68
RC09E01W	Habitat Use, Nest Success, and Natal Philopatry of Loggerhead Shrike in Northwest Illinois.	Wenny and Elbert (INRS INHS UIUC)	\$ 6,053	05/01/10	03/26/09			909-42220-1900-0028 (\$1,885) 909-42220-1900-0000 (\$4,168)	\$6,053	\$21,077.68
RC09E02W	Conservation Genetics of Jefferson Salamanders in Illinois: Implications for Conservation and Recovery	Kuhns (INRS INHS UIUC)	\$5,995	03/30/10	03/26/09			909-42220-1900-0000	\$5,995	\$15,082.68
RC09E03W	Status assessment survey for springtails (Collembola) in Illinois caves.	Soto-Adames and Taylor (INRS INHS UIUC)	\$4,663	03/31/10	04/06/09			909-42220-1900-0000	\$4,663	\$10,419.68
RC09E04W	Rarely Seen Illinois Native Plant Species; Their Status and Distribution.	Phillippe and Ebinger (INRS INHS UIUC)	\$6,419	12/31/09	04/06/09			909-42220-1900-0000	\$6,419	\$4,000.68
RC09E05W	Status of three freshwater snails species in the lower Ohio River basin in Illinois.	Tiemann and Cummings (INRS INHS UIUC)	\$3,993	06/30/10	04/14/09			909-42220-1900-0000	\$3,993	\$7.68